REMARKS

The applicant would like to thank the Examiner for her attention to this application.

The applicant submits herewith amended claim 1. Claim 1 has been amended to add the limitation that the emergency call attempt is being made by the mobile station. Claim 1 has further been amended to indicate that the acknowledgement message is generated by the mobile station based on a non-service request. The applicant submits that both these features distinguish the present claim from the cited references.

In particular, the Examiner has cited PCT Publication No. WO 94/28687 to Yarwood. At the outset, the applicant submits that Yarwood discloses a broadcast system for use by emergency service personnel as opposed to the present application which is directed to a user attempting to reach emergency service personnel in the case of an emergency.

Because Yarwood is a broadcast system it discloses inhibition of transmission or reception in certain cases. Specifically, on page 5, line 31, Yarwood discloses the inhibition of transmission by the unit on the broadcast channel if other traffic is detected on that channel to ensure that only one unit is broadcasting at a time. Further, calls can be terminated if a point-to-point call is ongoing while a broadcast is attempted. Specifically, on page 8, line 8, Yarwood states that: "Any mobile units involved with point-to-point calls are informed that a broadcast call is starting so they can also tune to the broadcast channel. This broadcast call indication can be arranged to cause any such point-to-point calls to be terminated automatically, or it may allow the user operating the mobile unit to select whether to listen in to the broadcast call or to continue with the point-to-point call".

The applicant has amended claim 1 to indicate that the emergency call attempt is by a mobile station. While Yarwood indicates that a mobile may attempt to broadcast, the

remainder of the method would be impossible under Yarwood. Specifically, the claim states that during an emergency call attempt by a <u>mobile station</u>, monitoring whether the mobile station has received a non-voice service request from the network and, if yes, ignoring said non-voice service request, said step of ignoring said non-voice service request includes blocking and acknowledgement message generated by the mobile station based on said non-voice service request from the mobile station to the network.

In Yarwood, either reception or transmission is blocked. When a mobile station is transmitting, then reception is blocked to avoid an echo on the mobile station. When the mobile station is receiving data or data is detected on the broadcast channel, the mobile stations of Yarwood block transmission.

Conversely, claim 1 now requires that the mobile station be capable of transmitting since the emergency call attempt is from the mobile station but that the mobile station needs to be capable of blocking transmissions based on the reception of non-voice service requests. Logically, Yarwood cannot be extended to do this.

Further, the Japanese patent to Jae cannot be extended to show this either. Jae does not teach the blocking of an acknowledgement message generated by a mobile station based on a non-voice service request. Jae discloses feature control based on the transmission of a specific signal to the mobile station. In Jae, some of the feature controls include no transmission at all or no transmission of certain data such as cameras or other data. However, this is not based on the acknowledgement message generated at a mobile station based on a non-voice service request received from a network.

The applicant therefore submits that claim 1 distinguishes the present application from the cited references.

With regard to claim 8, the applicant submits that the claim is distinct from the cited references. Specifically, the cited references do not show "checking whether the user aborted the emergency call request; and if the user did not abort said emergency call request, attempting to acquire a new system". The passages cited by the Examiner for this do not outline any instance where a user is aborting an emergency call request. If the Examiner disagrees, the Examiner is respectfully requested to point to the exact passage in which a user aborting emergency call request is shown.

With regard to claim 9, the applicant submits herewith amended claim 9. Claim 9 has further been amended by adding the fact that the acknowledgement message is generated by the mobile station based on a non-voice service request.
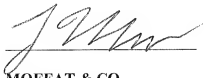
As argued previously, nothing with the Yarwood nor Jae references teaches the blocking of everything <u>but a position location service request</u>. The passages cited by the Examiner do not teach position location and the applicant respectfully requests that if the Examiner disagrees with this, the exact passage to which a blocking of everything but position location services is shown.

Similarly, claim 12 requires that during a call back period, monitoring whether user attempts to initiate a non-voice service request that is anything but a position location service request. Again, based on the above, the applicant submits that Yarwood and Jae do not teach blocking everything but position location service requests and the Examiner is respectfully requested to point to the specific passage that shows this if the Examiner disagrees. The applicant previously argued this, but the Examiner does not seem to have addressed this point explicitly in the present action.

The applicant further submits herewith amended claim 15 in which the position location service requests have also been added to the claim and for the reasons submitted above, the applicant submits that this claim is distinct from the Yarwood and Jae references.

The applicant submits that the application is now distinct from the references cited and reconsideration leading to allowance is respectfully urged.

Respectfully submitted,

MOFFAT & CO.
427 Laurier Ave. W., Suite 1200
Ottawa, ON   K1R 7Y2
(613) 232-7302

Attorney for Applicant

Joseph L. Ulvr
Reg. No. 57696

JLU:jh
Doc. 166944